

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

NEW PRIORITY DATE:

Date of filing in State Engineer's Office ~~APR 20 2004~~ JAN 16 2007Returned to applicant for correction MAY 24 2004Corrected application filed JUN 01 2004Map filed JUN 01 2004

The applicant **Edwin R. Smith and Valerie A. Smith** hereby makes application for permission to change the **Point of Diversion for a portion of** of water heretofore appropriated under Permit **64851**

1. The source of water is **Underground Source**
2. The amount of water to be changed **7.935 Acre Feet**
3. The water to be used for **Quasi-Municipal and Domestic (no change in manner of use).**
4. The water heretofore permitted for **Quasi-Municipal and Domestic (per permit 64851**
5. The water is to be diverted at the following point **within the southwest quarter (sw¼) of the Northwest Quarter (NW¼) of Section 20, T20S, R61E, MDM, or at a point from which the west One-Quarter corner (W¼) of said Section 20, T20S, R61E, MDM, bears South 66°54'27" West a Distance of 1431.0 Feet.**
6. The existing permitted point of diversion is located within **The Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section 20, T20S, R61E, MDM, or at a point from which the West One-Quarter (W¼) corner, of said Section 20, T20S, R61E, MDM bears South 45° West a distance of 71.4 Feet (Record Tie per permit 64851**
7. Proposed place of use **The East 165 Feet of the South Half (S½) of of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section 20, T20S, R61E, MDM. Assessor Parcel Number 139-20-202-009**
8. Existing place of use **The South Half (S½) of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section 20, T20S, R61E, MDM. (The existing well had served 8 lots within the above parcel.**
9. Use will be from **January 1st. to December 31st.** of each year.
10. Use was permitted from **January 1st. to December 31st.** of each year.
11. Description of proposed works **DRill 8" inch Steel Cased Well, Install 5 HP. Submersible Pump, Storage Tank, Booster Pump, Pressure Tanks, and Appuruntances.**
12. Estimated cost of works **20,000 +**
13. Estimated time required to construct works **1 Year**
14. Estimated time required to complete the application of water to beneficial use **3 Years**
15. Remarks: **Due to the fact that Water Rights and Portions of the Land are being sold under Permit 64851, The possibility exists that I may not be able to have access to the**

permitted well. Therefore, I wish to drill my own well on my property, So I can continue the use of the water.

By Edwin R. Smith
Agent-Robert Fulstone s/Robert Fulstone
Fulstone Enterprises, Inc.
940 S. Martin L. King Blvd.
Las Vegas, Nevada 89106

Compared cmf/sam ag/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 64851 is issued subject to the terms and conditions imposed in said Permit 64851 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Permit 71090 is granted to provide water service to one lot described as Clark County Assessor's Parcel Number (APN) 139-20-202-009.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.011 cubic feet per second, but not to exceed 7.935 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

December 10, 2005

Proof of completion of work shall be filed on or before:

January 10, 2006

Water must be placed to beneficial use on or before:

December 10, 2007

Proof of the application of water to beneficial use shall be filed on or before:

January 10, 2008

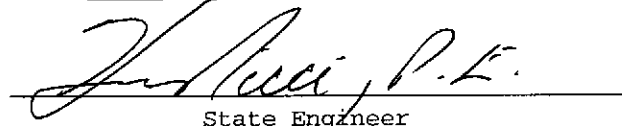
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 10th day of December, A.D. 2004


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

~~CANCELLED JAN 05 2007 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT
T. J. T. P. E. STATE ENGINEER
Can. Rescinded 8-1-2007~~